



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

**CERTIFIED-RECEIPT
REQUESTED**



James E. Hartl, AICP
Director of Planning

October 25, 2004

David and Angela Fu
17360 Colima Road #309
Rowland Heights, CA 91748

Dear Mr. and Mrs. Fu,

SUBJECT: REVISED APPROVAL LETTER
TENTATIVE PARCEL MAP NO. 060595
MAP DATE: July 6, 2004
OAK TREE PERMIT NO. 03-387-(5)
CSD MODIFICATION NO. 03-387-(5)

PLEASE NOTE: This document contains the Planning Commission's findings and order and conditions relating to **APPROVAL** of the above referenced Parcel Map and Oak Tree Permit. **CAREFULLY REVIEW EACH CONDITION.** Condition 2 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective.

The request for a modification to the East Pasadena – San Gabriel Community Standards District was denied.

The County of Los Angeles Regional Planning Commission, in its action on October 13, 2004, approved the tentative parcel map and conditional use permit in accordance with the Subdivision Map Act and Title 21 (Subdivision Ordinance) of the Los Angeles County Code subject to the recommendations and conditions of the Subdivision Committee. A copy of the approved findings and conditions is attached.

The actions of the tentative tract map and conditional use permit authorize:

1. the subdivision of the 3.38 acre site into three lots,
2. an Oak Tree Permit to remove 21 oak trees, and the encroachment into the dripline of an additional 22 oak trees,

The decision of the Regional Planning Commission regarding the tentative parcel map shall become final and effective on the date of the decision, provided no appeal of the action taken has been filed with the Board of Supervisors within the following time period:

TENTATIVE PARCEL MAP NO. 060595
OAK TREE PERMIT NO. 03-387-(5)
CSD MODIFICATION NO. 03-387-(5)
REVISED APPROVAL LETTER

1. In accordance with the requirements of the State Map Act, the tentative parcel map may be appealed within ten days following the decision of the Regional Planning Commission,
2. In accordance with the County of Los Angeles Zoning Ordinance, the Oak Tree Permit can not be appealed to the Board of Supervisors,
3. In accordance with the County of Los Angeles Zoning Ordinance, the CSD Modification denial may be appealed within ten days following the decision of the Regional Planning Commission.

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within the appropriate appeal period. Please be advised that your appeal will be rejected if the check is not submitted with the letter.

The tentative parcel map approval shall expire on **October 13, 2006**. If the subject tentative parcel map does not record prior to the expiration date, a request in writing for an extension of the approval, accompanied by the appropriate fee, and must be delivered in person prior to the expiration date.

If you have any questions regarding this matter, please contact Ms. Karen Simmons of the Land Divisions Section of the Department of Regional Planning at (213) 974-6433 between the hours of 7:30 a.m. and 6 p.m., Monday through Thursday. Our offices are closed Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning


Ellen Fitzgerald
Supervising Regional Planner

EMF:KMS

c: Subdivision Committee, Building and Safety, Zoning Enforcement, Board of Supervisors, testifiers, Jerry Lin

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE PARCEL MAP NO. 060595**

1. The Los Angeles Regional Planning Commission conducted a duly noticed public hearing in the matter of Vesting Tentative Parcel Map No. 060595 on August 18, 2004. The subdivision was heard concurrently with Oak Tree Permit Case No. 03-387-(5) and Community Standards District (CSD) Modification Case No. 03-387-(5).
2. Vesting Tentative Parcel Map No. 060595 is a proposal to create three lots on 3.38 acres.
3. The applicant intends to develop a single-family residence on one of three lots; the other two lots will be for sale. The applicant intends to provide architectural drawings with the properties for residences that could be built on the properties.
4. The subject property is comprised of two parcels (APN 5377-010-037 and 5377-010-038) located on the north side of Lombardy Road (2935 and 2969 Lombardy Road) east of S. San Gabriel Boulevard and west of El Campo Drive. The property is within an approximate one-quarter mile wide strip of unincorporated Los Angeles County. The property is located in an unincorporated area of East Pasadena, and in the East Pasadena Zoned District.
5. The rectangular shaped subject property is approximately 3.38 gross acres in size (147,368 square feet). When subdivided the proposed lot areas will be as follows: Lot 1 – 1.097 gross acres (47,780 square feet), Lot 2 – 1.201 gross acres (52,330 square feet), Lot 3 – 1.085 gross acres (47,258 square feet). The site has level topography. The site is currently vacant. The site topography consists of mature Oak trees, non-native grassland areas and some areas of older concrete paving from where the previous driveway was removed.
6. The project site is zoned R-1-30,000 (Single-Family Residential, 30,000 square feet minimum required area – 30,970 square feet, or approximately 21 percent of the site) and R-1-10,000 (Single-Family Residential, 10,000 square feet minimum required area – 116,398 square feet, or approximately 79 percent of the site).
7. Surrounding zoning is as follows: north: R-1-10,000 and R-1-30,000, east: R-1-30,000, south: R-1-10,000 and R-1-30,000, and west: R-1-10,000.
8. The project site is located within an urbanized and fully developed area and is surrounded by single-family residences to the north, east, south and west.
9. Previous cases on the subject property include Parcel Map Case No. 24733/Oak Tree Permit Case No. 97-058 and Oak Tree Permit Case No. 00-189.

Parcel Map No. 24733 and Oak Tree Permit Case No. 97-058

PM 24733 was a request to divide the subject property into four lots. OTP 97-058 was a concurrent proposal to remove 21 Oak trees and encroach on an additional 22 Oak trees in

order to build single-family residences on the lots. The applicant filed this request in 1997, went to public hearing in 1999, but withdrew the case prior to a decision in 2000. The previous owner of the subject property, not the current applicant Mr. & Mrs. Fu, began taking down Oak trees without the County's approval. When the Fu's bought the subject property it was bought "as is", with the Oak trees being removed without the mitigation trees being planted or any mitigation fees being paid.

Oak Tree Permit Case No. 00-189

OT 00-189 permitted the applicants, Mr. & Mrs. Fu, to remove 10 Oak trees from the subject property and encroach into the protected zone of an additional twenty Oak trees in order to construct a single-family residence on the property. The residence was to be 19,850 square feet and include an attached 6-car garage, a pool house, and a pool and tennis court. The County Forester recommended approval of the project, with recommended conditions that included the payment of the mitigation fees for the removal of the 8 Oak trees that were removed illegally (\$98,000.00). Representatives from the Lombardy Oak Tree Preservation Association testified in favor of the report provided that recommended conditions submitted by the Association were included in the approval of the permit. The Association's recommended conditions of approval included providing conditions on the proper care and protection of the Oak trees to all contractors to be on the site, the presence of an Oak tree consultant or arborist to be on the job site during all demolition and construction activities, the protection of trees located along the property of the site, and the redesign of the tennis court to save one particular tree. In addition, a representative testified they had talked to Mr. & Mrs. Fu regarding the recording of a covenant indicating the importance of protecting Oak trees, as well as letting any future owners of their property know the importance of the trees on their property. The record indicates Mr. & Mrs. Fu were in compliance with these conditions. OT 00-189 was approved in December of 2001.

When the Fu's submitted their application to the County of Los Angeles Department of Building and Safety to obtain their permit to construct the project, the East Pasadena-San Gabriel Community Standards District was in the process of being approved by the County. The public hearing on the CSD had already been noticed. The Ordinance was approved on July 23, 2002 and adopted August 22, 2002. The applicant was issued a building permit in error July 18, 2002; as discussed in this report, the maximum floor area of a single-family residence within the CSD is 9,000 square feet, the permit was revoked August 21, 2002. The Fu's did not appeal the decision to the Planning Commission and the residence was not built. The 10 trees authorized to be removed under OT 00-189, however, were removed.

10. The subject property is located within the "1" Low Density Residential classification of the Land Use Policy of the County of Los Angeles General Plan. The low density residential regions depict areas particularly suitable for single-family detached housing units, including large lot estates and typical suburban tract developments. Densities typically range from one to six units per gross acre. The intent of this classification is to maintain the character of existing low density residential neighborhoods and also to provide additional areas to accommodate future market demand.

If the subject property is proposed to be subdivided as requested by the applicant, the lots would be Lot 1 – 47,780 square feet, Lot 2 – 52,330 square feet, and Lot 3 – 47,258 square feet. Under the "1" classification a maximum of 7 units would be allowed on the subject property. The applicant's request of three single-family lots is in compliance with the density requirements of the Low Density Residential classification of the General Plan.

11. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 2100 *et seq.*), the State CEQA Guidelines and the County's environmental document reporting procedures and guidelines. The Initial Study showed that there are conditions or changes in the project that are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment. Mitigation measures include those related to biota, water quality and mitigation compliance. Based on the Initial Study, the Department of Regional Planning has prepared a Mitigated Negative Declaration and Mitigation Monitoring Program for this project.
12. Staff has received a letter from the City of San Marino regarding this request. The City would like the Commission to consider limiting the amount of structures to be developed to be consistent with the properties surrounding the property. The City would like a maximum floor area ratio of 0.3 – 0.4 to be considered. The proposed residences appear to meet this standard.
13. Staff received six letters in support of this request. These support letters are from neighbors, three of whom live on Lombardy Road.
14. Staff received eight comment letters in opposition to this request. Although all the comment letters are not from neighbors within 500 feet of the subject property, all are aware of the previous requests on the subject property and the limitations within the East Pasadena-San Gabriel Community CSD. All of the letters are in opposition to the removal of additional Oak trees from the site and to the modification to the maximum 9,000 square foot single-family residences.
15. Staff is in receipt of a letter from Latham & Watkins, LLP, representing the California Lombardy Oak Tree Preservation Association. This Association was formed in 2001 in reaction to the Oak trees that were being removed from the subject property. Attached is a copy of the document that was recorded at the County Recorder's Office on December 18, 2001. This document is a private document between the Fu's and Latham & Watkins (representing the Association). This document, signed by Mr. & Mrs. Fu, states that no additional Oak trees will be removed from the subject property after the trees authorized to be removed under Conditional Use Permit 00-189. This covenant is effective until December 31, 2010.
16. At the public hearing, the Regional Planning Commission heard the staff report, the applicant's presentation, four local residents in favor of the request and opposing testimony

from four residents in the community. The community's concerns were primarily in opposition to the Oak Tree Permit requested on the property. The residents were concerned that additional oak trees would be removed from the property without residences being built as proposed.

17. This parcel map has been submitted as a "Vesting" Tentative Map. As such, it is subject to the provisions of Section 21.38010 through 21.38.080 of the Los Angeles County Code (Subdivision Ordinance).
18. The proposed subdivision is consistent with all applicable provisions of the General Plan, Subdivision Code, and Zoning Code. The subject property is surrounded by compatible uses and has access to a County maintained street and highway. All required public services and necessary infrastructure can be provided for the proposed subdivision.
19. The proposed project will not overburden existing public services and facilities and will not disrupt or adversely impact local traffic conditions. Lombardy Road will provide access to the proposed development.
20. The design of the subdivision and the type of improvements will not cause public health problems since sewage disposal, storm water drainage, fire protection and geological and soils factors are addressed in the conditions of approval.
21. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial or avoidable injury to fish or wildlife or their habitat. The subject property does not contain any stream course. The project is located within an urbanized and fully developed area.
22. The division and development of the subject property in the manner set forth on this tentative parcel map will not unreasonably interfere with the free and complete exercise of public utility and/or public utility rights-of-way and/or easements within the tentative parcel map, since the design and development as set forth in the conditions of the project and on the tentative map, provide adequate protection for any such rights-of-way and easements.
23. The proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir, as those terms are used in Article 3.5 of the Subdivision Map Act (California Code Section 66410 *et seq.*).
24. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code.
25. The housing needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when this project was determined to be consistent with the Los Angeles County General Plan.

26. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Vesting Tentative Parcel Map 060595 is **APPROVED** subject to the attached conditions established by the Regional Planning Commission, including recommendations of the Los Angeles County Subdivision Committee.

EMF:KMS
09-21-04

DEPARTMENT OF REGIONAL PLANNING
VESTING TENTATIVE PARCEL MAP NO. 060595

MAP DATE: 07-06-04

FINAL CONDITIONS:

1. Conform to the requirements of Title 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances) including the requirements of the R-1-10,000/R-1-30,000 zone and the requirements of Oak Tree Permit No. 03-387-(5).
2. This parcel map is approved for the subdivision of the subject property into three (3) lots as depicted on the approved tentative parcel map.
3. This subdivision is a minor land division and must be filed as a final parcel map. No waiver is allowed.
4. Per Section 21.32.195, plant or cause to be planted at least one tree of a non-invasive species within the front yard of each residential unit. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be approved by the Director of Planning and the County Forester and Fire Warden, and a bond shall be posted with the Department of Public Works or other verification shall be submitted to the satisfaction of the Department of Regional Planning to ensure planting of the required trees. For the life of this grant, these trees shall be maintained in a neat and healthful condition, including replacement of trees when necessary.
9. Pursuant to Chapter 22.72 of the County Code, the subdivider or his/her successor in interest shall pay a fee to the County of Los Angeles Public Library prior to issuance of building permits in the amount of \$673.00 per dwelling unit (\$673.00 X 3 dwelling units = \$2,019.00), or such other amount as may be required by Chapter 22.72 at the time of payment. The subdivider may contact the County Librarian at (562) 940-8430 regarding payment of fees.
10. The subdivider shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 66499.37 or any applicable limitation period. The County shall promptly notify the permittee of any claim, action or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the County.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be

billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall pay the following supplemental deposits, from which actual costs shall be billed and deducted:

If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation;

At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein; and

The cost for collection and duplication of records and other related documents will be paid by subdivider according to Los Angeles County Code Section 2.170.010.

12. Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in the attached Mitigation Monitoring Program and the attached reports recommended by the Los Angeles County Subdivision Committee, consisting of the Department of Public Works, the Fire Department, the Department of Parks and Recreation and the Department of Health Services.

EMF:KMS
09-21-04

The following reports consisting of 9 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
PARCEL MAP NO. 060595 (Rev.)

Page 2/2

TENTATIVE MAP DATED 07-06-2004
EXHIBIT MAP DATED 07-06-2004

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. A final parcel map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
8. Prior to submitting the parcel map to the Director of Public Works for examination pursuant to Section 66450 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
9. If signatures of record title interests appear on the final map, a preliminary guarantee is needed. A final guarantee will be required. If said signatures do not appear on the final map, a title report/guarantee is needed showing all fee owners and interest holders and this account must remain open until the final parcel map is filed with the Registrar-Recorder/County Clerk's Office.
10. Submit a request to Public Works to withdraw Parcel Map No. 061385. Use Parcel Map No. 060595 for the proposed subdivision.
11. The final map shall be recorded as a parcel map, Parcel Map No. 060595.

HW
Prepared by Henry Wong
MSW/PM60595L-REV2

Phone (626) 458-4915

Date 08-02-2004



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

PARCEL MAP NO. 60595

REVISED TENTATIVE MAP DATED 07/06/04
EXHIBIT MAP 07/06/04

DRAINAGE CONDITIONS

- ☒ Approval of this map pertaining to drainage is recommended.
- =====

GRADING CONDITIONS:

- ☒ A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.
- ☒ A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Name _____

TIMOTHY CHEN

Date 07/29/04 Phone (626) 458-4921

**County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925**

DISTRIBUTION
☐ Geologist
☐ Soils Engineer
☒ GMED File
☒ Subdivision

TENTATIVE TRACT 60595, 2939-2969 Lombardy Road
SUBDIVIDER David and Angela Fu
ENGINEER Jan C. Dabney
GEOLOGIST _____
SOILS ENGINEER _____

TENTATIVE MAP DATED 07-06-04 3rd Revision and Exhibit
LOCATION Pasadena
REPORT DATE _____
REPORT DATE _____


☐ **TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:**

- ☐ The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.
- ☐ A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.
- ☐ All geologic hazards associated with this proposed development must be eliminated, or delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.
- ☐ A statement entitled: "Geotechnical Note(s), Potential Building Site: For grading and corrective work requirements for access and building areas for Lot(s) No(s). _____ refer to the Soils Report(s)" by _____, dated _____.

☒ **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:**

- ☐ This project may not qualify for a waiver of final map under section 21.48.140 of the Los Angeles County Title 21 Subdivision Code.
- ☒ The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.
- ☒ A soils engineering report may be required prior to approval of building or grading plans.
- ☐ Geotechnical Recordation Map verification deposit estimate 6 hours.
- ☒ The Soils Engineering review dated 7-21-04 is attached.

Prepared by


 Robert O. Thomas

Reviewed by



Date 07-20-04

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION**

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 5.0
Job Number LX001129
Sheet 1 of 1

Ungraded Site Lots

Tentative Map (Parcel) 60595

Location 2939 - 2969 Lombardy Road, Pasadena
Developer/Owner David and Angela Fu
Engineer/Architect Jan C. Dabney
Soils Engineer -----
Geologist -----

DISTRIBUTION:

☐ Grading/ Drainage
☐ Geo/Soils Central File
☐ District Engineer
☐ Geologist
☐ Soils Engineer
☐ Engineer/Architect

Review of:

Revised Tentative Map (Parcel) Dated and Exhibit By Regional Planning 7/6/04
Previous review sheet dated 6/16/04

ACTION:

Tentative Map feasibility is recommended for approval.



Prepared by

Gan Lem

Date 7/21/04

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

Gan:parcel-60595

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Dedicate right of way 32 feet from centerline on Lombardy Road. Two feet of additional right of way is required along the property frontage.
2. Remove the existing welded wire fence from the to be dedicated right of way on Lombardy Road.
3. Repair any broken or damaged pavement on Lombardy Road abutting this subdivision.
4. Construct curb, gutter, base, and pavement along the property frontage on Lombardy Road. The curb and gutter shall be 20 feet from centerline on Lombardy Road to line up with existing improvements to the west.
5. Construct sidewalk along the property frontage on Lombardy Road to the satisfaction of Public Works. We have no objection to an alternate cross section on Lombardy Road.
6. Plant street trees along the property frontage on Lombardy Road. Existing trees in dedicated or to be dedicated right of way shall be removed if they are not acceptable as street trees.
7. Install postal delivery receptacles in groups to serve two or more residential units.
8. Comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring along the property frontage on Lombardy Road to the satisfaction of Public Works. Obtain Street Lighting Section's approval of the street light layout prior to project recordation. Street lighting plans must be approved by the Street Lighting Section. For additional information, please contact the Street Lighting Section at (626) 300-4726.
 - b. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation is required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

TENTATIVE MAP DATED 07-06-2004

- (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.
 - (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
 - (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and for any questions at (626) 300-4726.
- c. Note that the annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.
- d. For acceptance of street light transfer billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans.
- e. The Lighting District can assume responsibility for the operation and maintenance of the street lights on public streets in the project, or the current phase of the project, as of July 1st of any given year provided the above conditions are met and the street lights have been energized and the developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.
9. Prior to final map approval, the subdivider shall enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works.
10. A deposit is required to review documents and plans for final map clearance.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
PARCEL MAP NO. 060595 (Rev.)

Page 1/1

TENTATIVE MAP DATED 07-06-2004

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install separate house laterals to serve each parcel in the land division.
2. Pay ordinance frontage charge to the satisfaction of Public Works.
3. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Nathan Howells

Phone (626) 458-4921

Date 08-02-2004

Reviewed by Henry Wong *HW*

pm60595sw-rev3.doc

TENTATIVE MAP DATED 04-28-2004

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system by the water purveyor, with appurtenant facilities to serve all parcels in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each parcel.
3. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Nathan Howells
Reviewed by Henry Wong *HW*
pm60595sw-rev3.doc

Phone (626) 458-4921

Date 08-02-2004



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 60595 Map Date July 6, 2004

C.U.P. _____ Vicinity Arcadia

- ☐ FIRE DEPARTMENT HOLD on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- ☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- ☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- ☐ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- ☐ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- ☒ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- ☐ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- ☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- ☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- ☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- ☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- ☐ The Fire Department has no additional requirements for this division of land.

Comments: Single gate designs for individual dwellings shall provide a minimum clear opening of 20'. Gate shall be set back from the public right of way a minimum of 50'. Provide an emergency override locking system in compliance with Los Angeles Co. Fire Department.

By Inspector: Janna Masi Date August 2, 2004

Land Development Unit - Fire Prevention Division - (323) 890-4243, Fax (323) 890-9783



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. 60595 Tentative Map Date July 6, 2004

Revised Report yes

- ☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- ☒ The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☐ The required fire flow for private on-site hydrants is gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- ☒ Fire hydrant requirements are as follows:
- Install public fire hydrant(s). Verify / Upgrade existing 2 public fire hydrant(s).
- Install private on-site fire hydrant(s).
- ☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- ☐ Location: As per map on file with the office.
- ☒ Other location: Verify the fire flow from the existing fire hydrants located on the South side of Lombard across from the property.
- ☐ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- ☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- ☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
- ☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.
- ☒ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments:

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Janra Masi Date August 2, 2004

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783



LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION



PARK OBLIGATION REPORT

Tentative Map # 60595

DRP Map Date: 07/06/2004

SCM Date: 08/02/2004

Report Date: 07/29/2004

Park Planning Area # 42

WEST SAN GABRIEL VALLEY

Map Type: REV. (REV RECD)

Total Units

3

= Proposed Units

3

+ Exempt Units

0

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.03
IN-LIEU FEES:	\$10,435

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$10,435 in-lieu fees.

Trails:

No trails.

Contact Patrocinia T. Sobrepeña, Acting Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Tonda Lay, Trail Coordinator at (213) 351-5135.

By:

James Barber, Advanced Planning Section Head

Supv D 5th
July 29, 2004 13:25:16
QMB02F.FRX



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION WORKSHEET

Tentative Map # 60595	DRP Map Date: 07/06/2004	SMC Date: 08/02/2004	Report Date: 07/29/2004
Park Planning Area # 42	WEST SAN GABRIEL VALLEY	Map Type: REV. (REV RECD)	

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)people x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units = Proposed Units + Exempt Units

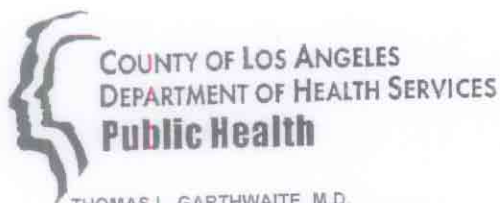
	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.98	0.0030	3	0.03
M.F. < 5 Units	3.23	0.0030	0	0.00
M.F. >= 5 Units	2.40	0.0030	0	0.00
Mobile Units	2.35	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.03

Park Planning Area = **42 WEST SAN GABRIEL VALLEY**

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.03	\$347,828	\$10,435

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.03	0.00	0.00	0.03	\$347,828	\$10,435



THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

JONATHAN E. FIELDING, M.D., M.P.H.
Director of Public Health and Health Officer

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm



BOARD OF SUPERVISORS

Gloria Molina

First District

Yvonne Brathwaite Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

July 21, 2004

Parcel No. 60595

Vicinity: Pasadena

Tentative Parcel Map Date: July 6, 2004 (3rd Revision)

The Los Angeles County Department of Health Services' approval for **Vesting Tentative Parcel Map 60595** is unchanged with the submission of the revised map. The following conditions still apply and are in force:

1. Potable water will be supplied by the **San Gabriel Valley Water Company**, a public water system, which guarantees water connection and service to all parcels. **Prior to Tentative Map Approval**, a "Will Serve" letter from the indicated water company shall be provided to this Department.
2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Los Angeles County Sanitation District** as proposed.

If you have any questions or need additional information, please contact Becky Valenti at (626) 430-5380.

Respectfully,

Patrick Nejadian, Chief E.H.S.
Mountain and Rural/Water, Sewage, and Subdivision Program

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
OAK TREE PERMIT NO. 03-387-(5)
COMMUNITY STANDARDS DISTRICT MODIFICATION NO. 03-387-(5)**

1. The Los Angeles Regional Planning Commission conducted a duly noticed public hearing in the matter of Oak Tree Permit 03-387-(5) and Community Standards District Modification 03-387-(5) on August 18, 2004. These cases were heard concurrently with Tentative Parcel Map No. 060595.
2. The applicant is requesting an Oak Tree Permit to permit the removal of 22 oak trees, and the encroachment into the dripline of an additional 22 oak trees. One Heritage Oak is proposed to be removed.
3. The applicant is requesting a modification to the East Pasadena – San Gabriel Community Standards District to permit the residences to exceed the maximum allowable floor area of 9,000 square feet.
4. The applicant intends to develop a single-family residence on one of three lots, the other two lots will be for sale. The applicant intends to provide architectural drawings with the properties for residences that could be built on the properties.
5. The subject property is comprised of two parcels (APN 5377-010-037 and 5377-010-038) located on the north side of Lombardy Road (2935 and 2969 Lombardy Road) east of S. San Gabriel Boulevard and west of El Campo Drive. The property is within an approximate one-quarter mile wide strip of unincorporated Los Angeles County. The property is located in an unincorporated area of East Pasadena, and in the East Pasadena Zoned District.
6. The rectangular shaped subject property is approximately 3.38 gross acres in size (147,368 square feet). When subdivided the proposed lot areas will be as follows: Lot 1 – 1.097 gross acres (47,780 square feet), Lot 2 – 1.201 gross acres (52,330 square feet), Lot 3 – 1.085 gross acres (47,258 square feet). The site has level topography. The site is currently vacant. The site topography consists of mature Oak trees, non-native grassland areas and some areas of older concrete paving from where the previous driveway was removed.
7. The project site is zoned R-1-30,000 (Single-Family Residential, 30,000 square feet minimum required area – 30,970 square feet, or approximately 21 percent of the site) and R-1-10,000 (Single-Family Residential, 10,000 square feet minimum required area – 116,398 square feet, or approximately 79 percent of the site).
8. Surrounding zoning is as follows: north: R-1-10,000 and R-1-30,000, east: R-1-30,000, south: R-1-10,000 and R-1-30,000, and west: R-1-10,000.
9. The project site is located within an urbanized and fully developed area and is surrounded by single-family residences to the north, east, south and west.

10. Previous cases on the subject property include Parcel Map Case No. 24733/Oak Tree Permit Case No. 97-058 and Oak Tree Permit Case No. 00-189.

Parcel Map No. 24733 and Oak Tree Permit Case No. 97-058

PM 24733 was a request to divide the subject property into four lots. OTP 97-058 was a concurrent proposal to remove 21 Oak trees and encroach on an additional 22 Oak trees in order to build single-family residences on the lots. The applicant filed this request in 1997, went to public hearing in 1999, but withdrew the case prior to a decision in 2000. The previous owner of the subject property, not the current applicant Mr. & Mrs. Fu, began taking down Oak trees without the County's approval. When the Fu's bought the subject property it was bought "as is", with the Oak trees being removed without the mitigation trees being planted or any mitigation fees being paid.

Oak Tree Permit Case No. 00-189

OT 00-189 permitted the applicants, Mr. & Mrs. Fu, to remove 10 Oak trees from the subject property and encroach into the protected zone of an additional twenty Oak trees in order to construct a single-family residence on the property. The residence was to be 19,850 square feet and include an attached 6-car garage, a pool house, and a pool and tennis court. The County Forester recommended approval of the project, with recommended conditions that included the payment of the mitigation fees for the removal of the 8 Oak trees that were removed illegally (\$98,000.00). Representatives from the Lombardy Oak Tree Preservation Association testified in favor of the report provided that recommended conditions submitted by the Association were included in the approval of the permit. The Association's recommended conditions of approval included providing conditions on the proper care and protection of the Oak trees to all contractors to be on the site, the presence of an Oak tree consultant or arborist to be on the job site during all demolition and construction activities, the protection of trees located along the property of the site, and the redesign of the tennis court to save one particular tree. In addition, a representative testified they had talked to Mr. & Mrs. Fu regarding the recording of a covenant indicating the importance of protecting Oak trees, as well as letting any future owners of their property know the importance of the trees on their property. The record indicates Mr. & Mrs. Fu were in compliance with these conditions. OT 00-189 was approved in December of 2001.

When the Fu's submitted their application to the County of Los Angeles Department of Building and Safety to obtain their permit to construct the project, the East Pasadena-San Gabriel Community Standards District was in the process of being approved by the County. The public hearing on the CSD had already been noticed. The Ordinance was approved on July 23, 2002 and adopted August 22, 2002. The applicant was issued a building permit in error July 18, 2002; as discussed in this report, the maximum floor area of a single-family residence within the CSD is 9,000 square feet, the permit was revoked August 21, 2002. The Fu's did not appeal the decision to the Planning Commission and the residence was not built. The 10 trees authorized to be removed under OT 00-189, however, were removed.

11. The subject property is located within the "1" Low Density Residential classification of the Land Use Policy of the County of Los Angeles General Plan. The low density residential regions depict areas particularly suitable for single-family detached housing units, including large lot estates and typical suburban tract developments. Densities typically range from one to six units per gross acre. The intent of this classification is to maintain the character of existing low density residential neighborhoods and also to provide additional areas to accommodate future market demand.

If the subject property is proposed to be subdivided as requested by the applicant, the lots would be Lot 1 – 47,780 square feet, Lot 2 – 52,330 square feet, and Lot 3 – 47,258 square feet. Under the "1" classification a maximum of 7 units would be allowed on the subject property. The applicant's request of three single-family lots is in compliance with the density requirements of the Low Density Residential classification of the General Plan.

12. The subject property falls within the East Pasadena-San Gabriel Community Standards District (CSD). The applicant is requesting a modification to the maximum floor area permitted per residence. In the R-1-10,000 and R-1-30,000 zones the CSD maximum floor area shall be $(.25 \times \text{net lot area}) + 1,000$ square feet, but in no case no more than 9,000 square feet. Of the three single-family residences proposed by the applicant, two are to be 12,000 square feet; the third is to be 13,500 square feet.

13. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 2100 *et seq.*), the State CEQA Guidelines and the County's environmental document reporting procedures and guidelines. The Initial Study showed that there are conditions or changes in the project that are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment. Mitigation measures include those related to biota, water quality and mitigation compliance. Based on the Initial Study, the Department of Regional Planning has prepared a Mitigated Negative Declaration and Mitigation Monitoring Program for this project.

14. Staff has received a letter from the City of San Marino regarding this request. The City would like the Commission to consider limiting the amount of structures to be developed to be consistent with the properties surrounding the property. The City would like a maximum floor area ratio of 0.3 – 0.4 to be considered. The proposed residences appear to meet this standard.

15. Staff received six letters in support of this request. These support letters are from neighbors, three of whom live on Lombardy Road.

16. Staff received eight comment letters in opposition to this request. Although all the comment letters are not from neighbors within 500 feet of the subject property, all are aware of the

previous requests on the subject property and the limitations within the East Pasadena-San Gabriel Community CSD. All of the letters are in opposition to the removal of additional Oak trees from the site and to the modification to the maximum 9,000 square foot single-family residences.

17. Staff is in receipt of a letter from Latham & Watkins, LLP, representing the California Lombardy Oak Tree Preservation Association. This Association was formed in 2001 in reaction to the Oak trees that were being removed from the subject property. Attached is a copy of the document that was recorded at the County Recorder's Office on December 18, 2001 (the "covenant"). The covenant is a private agreement between the Fu's and Latham & Watkins (representing the Association). The covenant, signed by Mr. & Mrs. Fu, states that no additional Oak trees will be removed from the subject property after the trees authorized to be removed under Conditional Use Permit 00-189. The covenant terminates December 31, 2010 unless modified or superceded.
18. At the public hearing, the Regional Planning Commission heard the staff report, the applicant's presentation, four local residents in favor of the request and opposing testimony from four residents in the community. The community's concerns were primarily in opposition to the Oak Tree Permit requested on the property. The residents were concerned that additional oak trees would be removed from the property without residences being built as proposed.
19. To prevent oak trees from being removed unnecessarily from the property without the intention of a residence being built, no oak trees may be removed from any parcel until the owners have obtained grading and building permits for a single-family residence.
20. Although 21 oak trees are approved to be removed (22 oak trees were requested to be removed, but removal of the Heritage Oak Tree was not approved), and 22 oak trees encroached upon, the project architect shall re-examine the proposed single-family residence footprints and architecture to work more closely around the existing oak trees to try to remove as few as possible.
21. No Heritage Oak Trees shall be removed from the subject property.
22. The decision of the Regional Planning Commission to allow additional oak trees to be removed from the subject property supercedes the covenant concerning removal of oak trees on the subject property. Representatives of the Association attended the public hearing and indicated they were agreeable to additional trees being removed providing their removal was necessary to construct single-family residences on the subject properties.
23. Although this Oak Tree Permit was submitted as one request to remove 22 trees, since Mr. & Mrs. Fu will not be building all three residences, the permit will be divided into three sections, one for each parcel to ensure that oak trees will not be removed unnecessarily. The two

OAK TREE PERMIT NO. 03-387-(5)
CSD MODIFICATION CASE NO. 03-387-(5)
FINDINGS

Page 5 of 5

future owners will be responsible for the mitigation required for trees removed from their parcels.

24. The East Pasadena-San Gabriel Community Standards District was adopted by the Board of Supervisors on August 22, 2002. To approve a modification to the CSD the Commission shall consider the unique characteristics of the neighborhood where the site is located, in addition to the applicant's responses to the Burden of Proof for the Request for Modification of Standards in the CSD. Based on the applicant's Burden of Proof, there were no substantial topographic features, lot design or other conditions to justify the modification, and other nearby properties were not enjoying modifications similar to the applicant's proposal. Based on the Burden of Proof, information presented at the public hearing and the evidence in the record, the Commission determined that the evidence does not justify approving a modification to the maximum floor area requirement of the CSD.
25. The Commission did permit the applicant and the future owners of the two other lots to add an attached second unit (1,200 square foot maximum) to the maximum 9,000 square foot floor area of the single-family residences, for a maximum 10,200 square foot residence. A plot plan review is normally required for a second unit, but the units are being approved as part of this permit, subject to review and approval from the Director of Regional Planning.
26. Pursuant to Section 22.08.190 of the County Code, if the property owners proceed with the attached 1,200 square foot second unit, there shall be no other detached living quarters established on the subject property.
27. The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Los Angeles County Department of Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Oak Tree Permit No. 03-387-(5) is **APPROVED** subject to the attached conditions established by the Regional Planning Commission.

In addition, in view of the findings of fact and conclusions presented above, Community Standards District Modification 03-397-(5) is **DENIED**.

EMF:KMS
09-21-04

1. This grant authorizes the removal of 21 oak trees and encroachment into the dripline of an additional 22 oak trees in order to construct three single-family residences, as depicted on an approved Revised Exhibit "A," subject to all the following conditions of approval.
2. This grant shall not be effective for any purpose until a duly authorized representative of the permittee and the owner of the subject property, if other than the permittee, have filed at the office of the Department of Regional Planning his/her affidavit stating that he/she is aware of, and accepts all the conditions of this grant and that the conditions have been recorded as required by Condition No. 3, and until all required monies have been paid pursuant to Condition Nos. 8 and 9.
3. The property owner or permittee shall record the terms and conditions of the grant in the Office of the County Recorder concurrently with the recordation of the final map for Vesting Tentative Parcel Map No. 060595. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
4. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of the grant.
5. Prior to obtaining a Building Permit, the property owners shall submit to the Director for review and approval three (3) copies of a revised Exhibit "A" that depicts the following: site plan showing residence location, floor plan of residence, and Oak Trees to be removed. In the event that subsequent revised plans are submitted, the written authorization of the property owner is necessary.
6. The permittee shall comply with all conditions and requirements contained in the County Forester's report dated June 24, 2004.
7. The permittee shall comply with the Department of Regional Planning Project Changes/Conditions due to Environmental Evaluation and corresponding Mitigation Monitoring Program dated July 6, 2004.
8. The permittee shall fully perform each action required of the permittee by the Mitigation Monitoring Program as if it were specifically set forth in these conditions. The permittee shall establish a draw down account with an initial \$3,000 for monitoring the mitigation conditions. The permittee shall pay this amount to the Department of Regional Planning prior to the approval of the Exhibit "A".
9. The project will require the filing of a Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code. The Notice of Determination will not be filed until the appropriate fees required by the California Department of Fish and Game

are paid. The fees are based on the type of environmental document approved for this project; the current maximum amount is \$1,275.00.

10. For all mitigation trees planted the permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted, for a total of 42 acorns (2 each for 21 trees). The acorns shall be planted in the same watering zone as each tree. According to the County Forester's report, mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Approval".
11. No Heritage Oak Trees shall be removed from the project site.
12. The applicant shall not remove any protected oak tree authorized by this permit unless and until both a grading permit and a building permit have been issued for the single-family residence on the lot where such oak tree to be removed is located.
13. The applicant shall execute and record a covenant, to the satisfaction of the Department of Regional Planning, binding the applicant and any successors in interest to abide by the approved Oak Tree Permit. The covenant and agreement shall be executed and recorded, and a copy provided to each property owner.
14. During grading and construction, the applicant shall install temporary construction fencing and other protections as determined appropriate by the County Forester to prevent damage to any protected oak trees that are scheduled for removal or encroachment on lots where no grading permit and building permit for the residence has been issued.
15. Referring to the forester report prepared by TREES, etc. dated May 6, 2004 and the County Forester's report dated June 24, 2004, the following oak trees are permitted to be removed or encroached upon, after grading and building permits have been obtained as discussed in Condition No. 12.

Lot 1

Removals: Tree Nos. 41, 42, 43, 44, 45, 51, 56, 57, 58, 64, 65, 69, 70

Encroachments: Tree Nos. 28, 29, 30, 39, 46, 48, 49, 50, 66

Lot 2

Removals: Tree Nos. 25, 27, 35

Encroachments: Tree Nos. 24, 31, 32, 37, 38, 39

Lot 3

Removals: Tree Nos. 5, 6, 7, 8, 9

Encroachments: Tree Nos. 10, 12, 13, 14, 15, 16, 17, 24, 33

Any removals or encroachments instead of or in addition to the above listed tree numbers will require a new Oak Tree Permit.

16. The single-family residences approved in conjunction with this Oak Tree Permit have been approved with an attached second unit. If this attached second unit is utilized (9,000 square foot maximum floor area, plus an attached 1,200 square foot maximum second unit, for a maximum 10,200 square foot residence) no additional detached living quarters, including a detached second unit, guest house, or living quarters for temporary guests or servants of the occupants are permitted on the parcel.
17. This grant shall expire unless used within two years after the recordation of a final map Vesting Tentative Parcel Map No. 060595. In the event that Vesting Tentative Parcel Map No. 060595 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the subject property thereafter shall be subject to the regulations then in effect.
18. It is declared and made a condition of this permit that if any condition hereof is violated, the permit shall be suspended and the privileges granted hereunder shall lapse; provided that the permittee has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
19. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if he or she finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety so as to be a nuisance.
20. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

21. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

If any inspection discloses that the subject property is being used in violation of any one of the condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

22. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

Attachments:

County Forester's report dated June 24, 2004

Project Changes/Conditions due to Environmental Evaluation dated July 6, 2004

Mitigation Monitoring Program

EMF:KMS
09-21-04

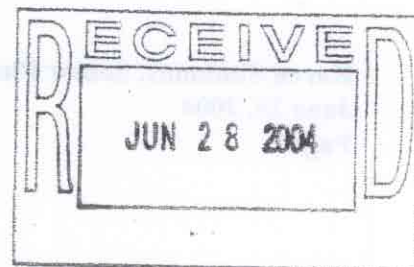


COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330



P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

June 24, 2004

Karen Simmons, Senior Planner
Department of Regional Planning
Land Divisions
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Simmons:

OAK TREE PERMIT #03-387, FU PROJECT, 2935 LOMBARDY ROAD UNINCORPORATED AREA OF SAN GABRIEL

We have reviewed the "Request for Oak Tree Permit #03-387." The project is located at 2935 Lombardy Road in the unincorporated area of San Gabriel. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Richard Ibarra, the consulting arborist, dated May 6, 2004.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$1300. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval.

The above fees provide for one (1) initial inspection of temporary fencing (required to secure the protected zone of all remaining Oak trees), prior to the commencement of construction and eleven (12) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRAEBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLEN DORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA FLINTRIDGE

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
 4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
 5. The permittee shall install temporary chain-link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
 6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review.
- All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of twenty-two (22) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 4, 5, 6, 7, 8, 9, 25, 27, 35, 41, 42, 43, 44, 45, 51, 56, 57, 58, 64, 65, 69, & 70 on the applicant's site plan and Oak Tree Report. Tree Number 4 is a Heritage Tree.

This grant allows encroachment within the protected zone of twenty-two (22) trees of the Oak genus identified as Tree Numbers 10, 12, 13, 14, 15, 16, 17, 24, 28, 29, 30, 31, 32, 33, 37, 38, 39, 46, 48, 49, 50, & 66 on the applicant's site plan map and Oak Tree Report. Trees Numbers 37 & 46 are Heritage Trees. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools through the "root zone" both vertical and horizontal. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist. After the "root zone" has been cleared with the use of hand tools, larger equipment maybe utilized under the supervision of the retained arborist after receiving written permission from the County Forester.

Specific impacts are detailed in the aforementioned Oak Tree Report located on pages 1, 2, and 3.

8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two (2) inches in diameter or less

in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of which is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for each tree removed and ten to one (10:1) for each Heritage Tree removed for a total of fifty-two (52) trees.

The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified or ten to one (10:1) for any Heritage Tree specified above that dies as a result of the approved encroachments.

11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source. We are requiring the replacement of removed/encroachment deaths of *Quercus ilex* with *Quercus agrifolia*.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree, which results from its permitted encroachment. If the County Forester is concerned about the health/vigor of an impacted Oak tree, they may increase the monitoring time and require that the applicant mitigate for the tree(s) of concern. Such variances will be in written communication directly to the applicant and copied to the project arborist and Department of Regional Planning. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two (2) year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.



OAK TREES: Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

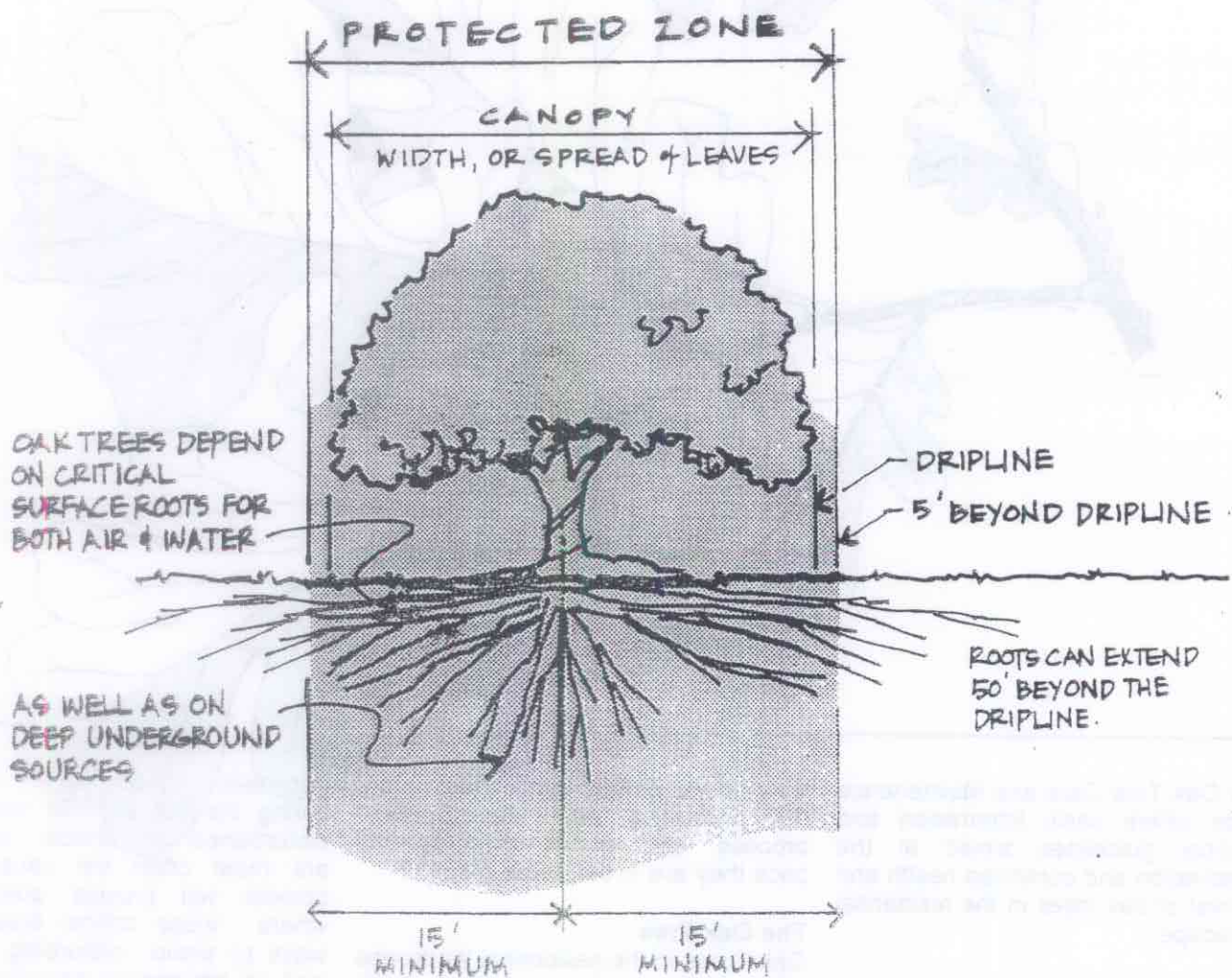
THE PROTECTED ZONE

The *protected zone* defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

"The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving is should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be indicated, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in Spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

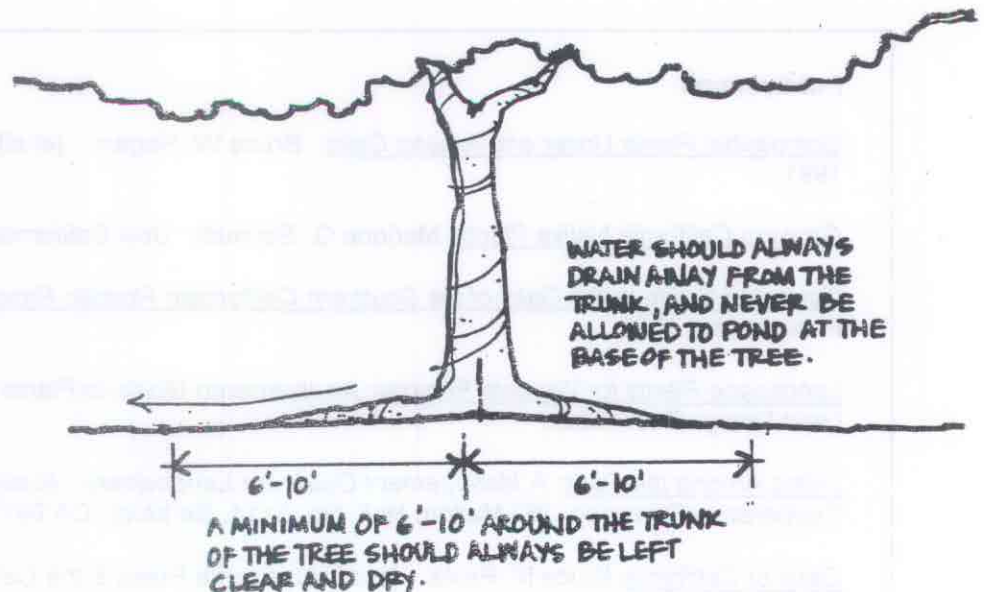
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
1320 N. Eastern Avenue
Los Angeles CA 90063-3294
(323) 890-4330

University of California, Berkeley
Integrated Hardwood Range
Management Program, 163 Mulford Hall
Berkeley, CA 94720-3114

Private Organizations

The Theodore Payne Foundation
For Wildflowers and Native Plants, Inc.
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282

Arboretums and Botanic Gardens

Los Angeles County Arboreta and
Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222

Los Angeles County South Coast
Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 952-4400

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546

Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 1991.

Growing California Native Plants, Marjorie G. Schmidt, Univ California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Landscape Plants for Western Regions: An Illustrated Guide to Plants for Water Conservation, Bob Perry. Land Design Pub. 1992.

Living Among the Oaks: A Management Guide for Landowners. Available from the University of California Cooperative Extension, 163 Mulford Hall, No. 3114, Berkeley, CA 94720-3114. 1995.

Oaks of California, Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Wildlife Among the Oaks. Available from the University of California Cooperative Extension, 163 Mulford Hall, No. 3114, Berkeley, CA 94720-3114. 1995.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

July 6, 2004

Heather Barnes
Tritech Associates Inc.
135 N. San Gabriel Blvd., #100
San Gabriel, CA 91775

SUBJECT: INITIAL STUDY DETERMINATION LETTER
PROJECT NO. IS & OTP 03-387/PM 60595

On July 6, 2004, the staff of the Department of Regional Planning completed its review of the Environmental Questionnaire and other data regarding your project and made the following determination as to the type of environmental document required.

- ☐ Use of previously prepared EIR
- ☐ Categorical Exemption
- ☐ Negative Declaration
- ☒ Mitigated Negative Declaration
- ☐ Other: _____
- ☐ Environmental Impact Report (EIR)

Please sign the enclosed "project changes/conditions due to environmental evaluation" and return or fax it to:

Department of Regional Planning
Impact Analysis Section
320 West Temple Street, Room 1348
Los Angeles, CA 90012

If you have any questions regarding the above determination or environmental document preparation, please contact Rick Kuo of the Impact Analysis Section at (213) 974-6461, Monday to Thursday between 7:30 a.m. and 6 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Daryl Koutnik, Supervising Regional Planner
Impact Analysis Section

JEH:DLK:rk

Los Angeles County
Department of Regional Planning
COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

MITIGATED NEGATIVE DECLARATION

PROJECT NUMBER: IS & OTP 03-387/PM 60595

1. DESCRIPTION:

An application for a Tentative Parcel Map to subdivide a 3.38-acre parcel into three lots with each lot having a two-story, single-family residence and a four-car garage. Proposed lot sizes are 47,780 sf for lot 1; 52,330 sf for lot two; and 47,258 sf for lot three. The proposed project falls under the East Pasadena-San Gabriel Community Standards District (CSD). The applicant is requesting a CSD modification for maximum floor area allowance from 9,000 sf to 12,000 sf for lots 1 and 3 and to 13,500 for lot 2. Ten Oak trees were previously removed under OTP 00-189. A new Oak Tree Permit is required for 22 removals and 22 encroachments of the 65 extant Oak trees on-site. Proposed project will require 596 cubic yards of grading.

2. LOCATION:

2935 Lombardy Road, East Pasadena, CA 91107

3. PROPONENT:

David and Angela Fu
17405 Seco Court
Rowland Heights, CA 91748

4. FINDINGS OF NO SIGNIFICANT EFFECT:

BASED ON THE INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH MODIFICATION AS IDENTIFIED ON THE PROJECT CHANGES/CONDITIONS FORM INCLUDED AS PART OF THE INITIAL STUDY

5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:

THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS MITIGATED NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012

PREPARED BY: Impact Analysis Section, Department of Regional Planning

DATE: July 6, 2004

PROJECT CHANGES/CONDITIONS DUE TO ENVIRONMENTAL EVALUATION

PROJECT No. IS & OTP 03-387/PM 60595

The Department of Regional Planning (DRP) staff has determined that the following conditions or changes in the project are necessary in order to assure that there will be no substantial evidence that the proposed project may have a significant effect on the environment.

The applicant shall deposit the sum of \$3,000 with the DRP within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the annual reports by a Mitigation Monitoring Program.

Biota

Project related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from February 1 through August 31, unless a project biologist acceptable to the Director of Planning surveys the project area prior to disturbance to confirm the absence of active nests or nesting habitat. Disturbance shall be defined as any activity that physically removes and/or damages vegetation or habitat or any action that may cause disruption of nesting behavior such as loud noise from equipment and/or artificial night lighting. Surveys shall be conducted weekly, beginning no earlier than 30 days and ending no later than 3 days prior to the commencement of disturbance. If an active nest is discovered, disturbance within 300 feet (500 feet for raptors) shall be postponed until the nest is vacated, offspring have left the nest area and there is no evidence of further attempts at nesting. Limits of avoidance shall be demarcated with flagging or fencing. The project proponent shall record the results of the recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

The applicant shall pay ISA value into the Oak Forest/Preservation Fund for Tree Numbers 42,43,44,45,57, and 56.

Water Quality

The applicant shall comply with all pertinent NPDES requirements of the Regional Water Quality Control Board and the Los Angeles County Department of Public Works.

Mitigation Compliance

As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting annual mitigation compliance report to the DRP for review, and for replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.

As the applicant, I agree to incorporate these changes/conditions into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as changed/conditioned.

PROJECT NO. 18-017 (2018-2019)

Applicant

Date

☐ No response within 10 days. Environmental Determination requires that these changes/conditions be included in the project.

Staff

Date

**MITIGATION MONITORING PROGRAM
PROJECT NO. IS & OTP 03-387/PM 60595**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
On-site On-site monitoring during all vegetation removal within 300 feet of project activities to determine the presence of active passerine bird nests. A copy of the monitoring report shall be submitted to DRP.	Prior to any ground disturbing activities.	Applicant	Regional Planning California Fish and Game	
On-site On-site monitoring during all vegetation removal within 300 feet of project activities to determine the presence of active passerine bird nests. A copy of the monitoring report shall be submitted to DRP.	Prior to issuance of building or grading permit.	Applicant	Regional Planning	
On-site On-site monitoring during all vegetation removal within 300 feet of project activities to determine the presence of active passerine bird nests. A copy of the monitoring report shall be submitted to DRP.	Prior to issuance of building or grading permit.	Applicant	Public Works RWQCB	
On-site On-site monitoring during all vegetation removal within 300 feet of project activities to determine the presence of active passerine bird nests. A copy of the monitoring report shall be submitted to DRP.	Annual under such time as all mitigation measures	Applicant	Regional Planning	

